

# **LICENSING RULES FOR FOSTER FAMILY HOMES AND FOSTER FAMILY GROUP HOMES FOR CHILDREN**

**Effective Date: 1/1/2001**

**Office of  
Children and Adult Licensing**



**STATE OF MICHIGAN  
Department of Human Services**

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**MICHIGAN DEPARTMENT OF HUMAN SERVICES**  
Office of Children and Adult Licensing

**CHILDREN’S FOSTER HOME LICENSING RULES**

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**MICHIGAN DEPARTMENT OF HUMAN SERVICES**  
**DIVISION OF CHILD WELFARE LICENSING**  
**FOSTER FAMILY HOMES**  
**AND**  
**FOSTER FAMILY GROUP HOMES**

Filed with the Secretary of State on January 29, 2007  
These rules take effect March 1, 2007

(By authority conferred on the director of the Michigan Department of Human Services by sections 2, 5, 10, and 14 of 1973 PA 116, and Executive Reorganization Orders No. 1996-1, No. 1996-2, 2003-1 and 2004-4, MCL 722.112, 722.115, 722.120, 722.124, 330.3101, 445.2001, 445.2011 and 400.226 of the Michigan Compiled Laws)

R 400.9101, R 400.9306, R 400.9401, and R 400.9501 of the Michigan Administrative Code are amended.

**PART 1. GENERAL PROVISIONS**

**R 400.9101 Definitions.**

Rule 101. As used in these rules:

- (a) "Act" means 1973 PA 116, MCL 722.111.
- (b) "Agency" means the child placing agency that certifies the foster home for licensure by the department.
- (c) "Department" means the Michigan Department of Human Services.
- (d) "Family member" means foster parents, foster children, and members of the household.
- (e) "Foster care" means the care, training, protection, and supervision of a foster child.
- (f) "Foster child" means a person who meets all of the following criteria:
  - (i) Resides in a foster home.
  - (ii) Is less than 18 years of age or becomes 18 years of age while residing in the foster home and continues to reside in the foster home to receive care, maintenance, training, and supervision.
  - (iii) Is not related to an adult member of the household by blood, adoption, or marriage.
  - (iv) Has been placed in the home by an agency.
- (g) "Foster home" means a foster family home or foster family group home as defined in section 1 of the act.
- (h) "Foster parent" means the person or persons to whom a foster home license is issued.
- (i) "Infant" means a child between birth and 12 months of age.
- (j) "Member of the household" means any person, other than foster children, who resides in a foster home on an ongoing or recurrent basis.
- (k) "Substantial noncompliance" means repeated violation of the act or an administrative rule promulgated under the act, or noncompliance with the act, a rule promulgated under the act, or the terms of a license that jeopardizes the health, safety, care, treatment, maintenance, or supervision of individuals receiving services or, in the case of an applicant, individuals who may receive services.
- (l) "Substitute care" means care that is provided to a foster child when the foster parent is not present.
- (m) "Willful noncompliance" means, after receiving a copy of the act, the rules promulgated under the act, and a copy of the terms of the license if applicable, an applicant or licensee knows or had reason to know that his or her conduct is a violation of the act, the rules promulgated under the act, or the terms of the license.

**History:** Eff. January 1, 2001, Am. Eff. March 1, 2007.

**R 400.9102 Rule variance**

Rule 102. (1) The department may grant a variance from an administrative rule if all of the following provisions are satisfied:

- (a) The agency and the foster parent have reviewed and agreed with the request.
- (b) The agency requests the variance, in writing, from the department.
- (c) The proposed variance from the rule assures that the health, care, safety, protection, and supervision of

a foster child are maintained.

(2) The decision of the department, including the conditions for which the variance is granted, shall be entered upon the records of the department and a signed copy shall be sent to the agency and the foster parent. The variance may be time-limited or may remain in effect as long as the foster parent continues to assure that the health, care, safety, protection, and supervision of foster children are maintained.

**History:** Eff. January 1, 2001.

#### **R 400.9199 Rescission.**

Rule 199. R 400.191 to R 400.195 of the Michigan Administrative Code, appearing on pages 3006 to 3009 of the 1979 Michigan Administrative Code, are rescinded.

**History:** Eff. January 1, 2001.

## **PART 2. APPLICATION AND LICENSING**

#### **R 400.9201 Foster home applicant qualifications.**

Rule 201. A foster home applicant shall meet all of the following qualifications:

- (a) Be 18 years of age or older.
- (b) Be of good moral character.
- (c) Express a willingness to provide care for children who are served by the agency.
- (d) Demonstrate an understanding of the care which must be provided to the children served by the agency or express a willingness to learn how to provide that care.
- (e) Have adequate time to provide care and supervision for the children.
- (f) Have a defined source of income, and be capable of managing that income, to meet the needs of the foster family.
- (g) Be of such physical, mental, and emotional health to assure appropriate care of children.
- (h) Express a willingness, and demonstrate the ability, to work with a foster child's family or future family.
- (i) Demonstrate suitable habits, temperament, and reputation to assure the proper care and safety of children.
- (j) Demonstrate a willingness and ability to comply with the licensing rules for foster homes.

**History:** Eff. January 1, 2001.

#### **R 400.9202 Member of household qualifications.**

Rule 202. To assure the safety and welfare of a foster child, a member of the household shall meet all of the following qualifications:

- (a) Be of good moral character.
- (b) Have a temperament, habits, and reputation that will not impair the care of a foster child.
- (c) Be in a state of physical, mental, and emotional health that will not impair the care of a foster child.
- (d) Be willing to accept a foster child into the foster home as a member of the household.
- (e) Any adult member of the household who provides care for foster children shall also meet the qualifications specified in R 400.9201.

**History:** Eff. January 1, 2001.

#### **R 400.9203 Orientation.**

Rule 203. Before completing and submitting an application for an original license, each applicant for a foster home license shall attend orientation pursuant to R 400.12307.

**History:** Eff. January 1, 2001.

#### **R 400.9204 Application submission.**

Rule 204. (1) A foster home applicant shall complete, sign, and submit an application within 30 days of receiving an application. If an application is not submitted within 30 days of receipt, the application shall be considered withdrawn.

- (2) In a 2-caregiver household, both caregivers shall sign the application.

**History:** Eff. January 1, 2001.

**R 400.9205 Records check.**

Rule 205. (1) A foster home applicant shall provide the agency with the name of, and a signed release to obtain any of the following information about, each adult member of the household:

- (a) Conviction of a crime other than a minor traffic violation.
- (b) Involvement in substantiated abuse or neglect of a child or adult.
- (c) Placement on court-supervised parole or probation.

(2) By the next working day after another adult moves into a currently licensed foster home, or upon the request of the agency, a foster parent shall provide the agency with the name of the adult and a signed release to obtain the information required in subrule (1) of this rule.

**History:** Eff. January 1, 2001.

**R 400.9206 Foster home evaluation.**

Rule 206. A foster home applicant shall do all of the following:

- (a) Allow the agency reasonable access to the foster home for licensing and foster child supervision purposes.
- (b) Truthfully assist the agency in determining all of the following:
  - (i) Marital and family status and history, including current and past level of family functioning and relationships and any incidents of domestic violence.
  - (ii) Educational history and any special skills and interests.
  - (iii) Employment history, current financial status, including property and income, money management skills and outstanding financial obligations.
  - (iv) Physical, mental, and emotional health of each member of the household.
  - (v) Any history of substance abuse of each member of the household.
  - (vi) Parenting skills and attitudes toward children.
  - (vii) Methods of discipline of children.
  - (viii) Adjustment and special needs of the applicant's own children.
  - (ix) Strengths and weaknesses of each member of the household.
  - (x) Experiences with own parents and any history of out-of-home care.
  - (xi) Family's perception of the purpose of foster care.
  - (xii) Reason for applying to be a foster family.
  - (xiii) Previous experience in providing child foster care, child day care, or adult foster care.
  - (xiv) Attitude of each member of the household toward accepting a foster child.
  - (xv) Willingness to parent cross-racially or cross-culturally and to create an atmosphere that fosters the racial identity and culture of a foster child.
  - (xvi) Capacity and disposition to give a foster child guidance, love, and affection.
  - (xvii) Family's willingness to work with a foster child's family.
  - (xviii) Adequacy of the applicant's house, property, neighborhood, schools, and community for the purpose of providing foster care as determined by an on-site visit.
  - (xix) The age, number, sex, race, ethnic background, and special characteristics of children preferred by the applicants.
- (c) Provide the agency with both of the following:
  - (i) Three references from persons not related to the applicants.
  - (ii) A medical statement for each member of the household that indicates that the member has no known condition which would affect the care of a foster child. The statement shall be signed by a physician within the 12-month period before licensure.

**History:** Eff. January 1, 2001.

**R 400.9207 Foster home reevaluations.**

Rule 207. A foster parent shall do all of the following:

- (a) Allow the agency reasonable access to the foster home for licensing and foster child supervision purposes.
- (b) Provide all changes to the factual information contained in the initial evaluation and subsequent evaluations.
- (c) Share information on family functioning and interrelationships.
- (d) Provide a preference for receiving children in placement, including the characteristics, age, sex, race, ethnic background, and number of children the foster parents would not wish to accept in placement.

**History:** Eff. January 1, 2001.

## PART 3. FOSTER HOME

### **R 400.9301 Maintenance.**

Rule 301. (1) A foster parent shall ensure that the property, structure, premises, and furnishings of a foster home are constructed and maintained in a clean and safe condition and in good repair.

(2) A foster parent shall ensure that the property, structures, premises, and furnishings are adequately constructed and maintained to meet the needs of each foster child and each member of the household.

**History:** Eff. January 1, 2001.

### **R 400.9302 Heat, light, and ventilation.**

Rule 302. (1) A foster parent shall ensure that the foster home heat, light, and ventilation is adequate.

(2) A foster parent shall ensure that the foster home windows and doors are screened if used for ventilation.

**History:** Eff. January 1, 2001.

### **R 400.9303 Flame and heat-producing equipment; maintenance; inspection.**

Rule 303. (1) A foster parent shall ensure that all of the following items are maintained in safe condition:

- (a) Furnace.
- (b) Water heater.
- (c) Fireplace.
- (d) Pipes.
- (e) Radiators.
- (f) Wood-burning stoves.
- (g) Other flame-producing or heat-producing equipment.
- (2) Portable heating devices may be used for up and awake activity, except in bedrooms.

**History:** Eff. January 1, 2001.

### **R 400.9304 Smoke detectors; carbon monoxide detectors.**

Rule 304. (1) A foster parent shall ensure that at least 1 single-station smoke detector that is approved by a nationally recognized testing laboratory is installed and maintained as follows:

- (a) On each floor of the home, including the basement.
- (b) Between the sleeping area and the rest of the home. In a home that has more than 1 sleeping area, a foster parent shall ensure that a smoke detector is installed and maintained to protect each separate sleeping area.
- (c) In areas of the home that contain flame or heat-producing equipment other than domestic stoves and clothes dryers.
- (2) A foster parent shall ensure that at least 1 carbon monoxide detector that is approved by a nationally recognized testing laboratory is installed and maintained in an area of the home as recommended by the manufacturer.

**History:** Eff. January 1, 2001.

### **R 400.9305 Bathrooms; water supply; sewage disposal.**

Rule 305. (1) A foster parent shall ensure that the foster home has a minimum of 1 flush toilet, 1 washbasin that has warm and cold running water, and 1 bathtub or shower that has warm and cold running water, all of which shall be in working order.

(2) A foster parent shall ensure that the temperature of water available from outlets accessible to a foster child shall not exceed 120 degrees Fahrenheit.

(3) A foster parent shall ensure that the foster home that provides care to a foster child who regularly requires the use of a wheelchair has bathroom facilities that are readily accessible to the foster child.

(4) A foster parent shall ensure that the foster home water supply is from a source that is approved for a private home by the health authority.

(5) A foster parent shall ensure that all sewage is disposed of through a public system or, in the absence of a public system, in a manner that is approved for a private home by the health authority.

**History:** Eff. January 1, 2001.



## **R 400.9306 Bedrooms.**

Rule 306. (1) A foster parent shall ensure that bedrooms comply with all of the following provisions:

- (a) Provide an adequate opportunity for both rest and privacy and access to adult supervision as appropriate for the age and functioning level of each child.
- (b) Have not less than 40 square feet of floor space per person, excluding closets.
- (c) Have sufficient space for the storage of clothing and personal belongings.
- (d) Have a finished ceiling, floor-to-ceiling permanently affixed walls, and finished flooring.
- (e) Have a latchable door that leads directly to a means of egress. As used in this rule, latchable means that the door can be closed and will remain closed until someone opens it. Latchable does not mean lockable.
- (f) Have at least 1 outside window that complies with all of the following provisions:
  - (i) Is accessible to children and caregivers.
  - (ii) Can be readily opened from the inside of the room.
  - (iii) Is of sufficient size and design to allow for the evacuation of children and caregivers.
- (g) Be free of all of the following:
  - (i) Household heating equipment.
  - (ii) Water heater.
  - (iii) Clothes washer.
  - (iv) Clothes dryer.

(2) A foster parent shall not use as a bedroom a room that is primarily used for purposes other than sleeping. A foster parent shall not use any of the following as a bedroom:

- (a) A hall.
- (b) A closet.
- (c) A stairway.
- (d) A garage.
- (e) A shed.
- (f) A detached building.
- (g) A room or space, including an attic, that is accessible only by a ladder, folding stairway, or through a trapdoor.

(3) A foster parent shall ensure that all bedding and sleeping equipment comply with the following conditions:

- (a) All blankets shall be appropriate for the weather..
- (b) All bedding and equipment shall be in good repair and shall be cleaned and sanitized before being used by another person.
- (c) All bedding used by children shall be washed when soiled or weekly at a minimum.
- (d) A clean pillow for children 2 years of age and older.
- (e) Infants, birth to 12 months of age, shall rest or sleep alone in a crib or bassinet that meets the conditions of subdivision (f) of this subrule.
- (f) All cribs and bassinets shall be equipped with:
  - (i) A firm, tight-fitting mattress with a waterproof, washable covering.
  - (ii) No loose, missing, or broken hardware or slats.
  - (iii) Not more than 2 3/8 inches between the slats.
  - (iv) No corner posts over 1/16 inches high.
  - (v) No cutout designs in the headboard or footboard.
  - (vi) A tightly fitted bottom sheet shall cover the mattress with no additional padding placed between the sheet and mattress.
- (g) An infant's head shall remain uncovered during sleep.
- (h) Soft objects, bumper pads, stuffed toys, quilts or comforters, and other objects that could smother a child shall not be placed with or under a resting or sleeping infant.
- (i) Blankets shall be tucked in along the sides and foot of the mattress and shall not come up higher than an infant's chest.
- (j) Blankets shall not be draped over cribs or bassinets.
- (k) Infant car seats, infant seats, infant swings, highchairs, playpens, waterbeds, adult beds, soft mattresses, sofas, beanbags or other soft surfaces are not approved sleeping equipment for children 24 months of age or younger.
- (l) Children 24 months or younger who fall asleep in a space that is not approved for sleeping shall be moved to approved sleeping equipment appropriate for their size and age.

**History:** Eff. January 1, 2001, Am. Eff. March 1, 2007.



**R 400.9307 Exits.**

Rule 307. (1) A foster parent shall ensure that there are 2 exits from each floor level used by a family member. A foster parent shall ensure that the exits are remote from each other and that 1 of the exits provides a direct, safe means of unobstructed travel to the outside at street or ground level.

(2) A window may be used as a second exit if it is in compliance with all of the following provisions:

(a) Is accessible to children and caregivers.

(b) Can be readily opened from the inside of the room.

(c) Is of a size and design to allow for the evacuation of children and caregivers.

(3) If a family member occupies a level of a home that is above the second floor, then the building shall have 2 stairways to ground level, at least 1 of which shall provide a direct means of egress to the outside at ground level.

**History:** Eff. January 1, 2001.

**R 400.9308 Telephone.**

Rule 308. (1) A foster parent shall ensure that an operating telephone is available in the foster home.

(2) A foster parent shall ensure that emergency telephone numbers which follow appropriate agency protocol are within sight of the telephone.

**History:** Eff. January 1, 2001.

**R 400.9309 Wheelchair access.**

Rule 309. A foster parent shall ensure that a foster home which provides care to a foster child who regularly requires the use of a wheelchair is wheelchair accessible.

**History:** Eff. January 1, 2001.

## **PART 4. FOSTER CARE**

**R 400.9401 Child capacity; living arrangement.**

Rule 401. (1) Not more than 8 children under 17 years of age, including children of the foster parents, may live in or receive care in a foster home at any given time.

(2) Not more than 2 children under 1 year of age, including the children of the foster parents, may receive care in a foster home at any time.

(3) Children birth to 24 months of age shall sleep alone in a crib, bassinet or toddler bed that is appropriate and sufficient for the child's length, size, and movement.

(a) An infant shall be placed on his or her back for resting and sleeping.

(b) An infant unable to roll from stomach to back, and from back to stomach, when found facedown, shall be placed on their backs.

(c) An infant who can easily turn over from his or her back to his or her stomach shall be initially placed on his or her back, but allowed to adopt whatever position he or she prefers for sleep.

(d) For an infant who cannot rest or sleep on her/his back, the foster parent shall have written instructions, signed by a physician, detailing an alternative safe sleep position and/or other special sleeping arrangements for the infant.

(e) The foster parent shall maintain supervision and frequently monitor infants' breathing, sleep position, and bedding for possible signs of distress. Baby monitors shall not be used exclusively to comply with this subdivision.

(4) A child who is nonambulatory and cannot readily be carried by 1 member of the household shall sleep in a bedroom that has a means of exiting at ground level.

(5) A child shall not share a bedroom with a non-parent adult unless the child and adult are siblings of the same sex, the child is less than 1 year of age, or the child has a special medical need that requires the attention of an adult during sleeping hours.

(6) A child, 3 years of age or older, shall not routinely share the same bedroom with a parent.

(7) Children of the opposite sex, any of whom are more than 5 years of age, shall not share the same bedroom.

(8) Each child shall sleep alone in a bed or with only 1 other child of the same sex in a double bed. Sharing a double bed shall be based on the age, functioning level, and individual needs of each child.

(9) Resting or sleeping areas shall have adequate lighting to allow the foster parent to assess children.

**History:** Eff. January 1, 2001, Am. Eff. March 1, 2007.

**R 400.9402 Child placement.**

Rule 402. (1) A foster parent shall receive a foster child for care only within the approved placement specifications.

(2) A foster parent shall receive a foster child for care only within the terms of the foster home license.

(3) A foster parent shall receive a foster child for care only from the agency that certified the home or from another agency with the prior approval of the agency that certified the home.

**History:** Eff. January 1, 2001.

**R 400.9403 Foster parent duties.**

Rule 403. A foster parent shall carry out each of the following functions:

(a) Cooperate with and assist the agency in the agency's implementation of the service plan for children and their families.

(b) Fully disclose to the agency information concerning a foster child's progress and problems.

(c) Provide written notification to the agency of the need for a foster child to be moved from the foster home not less than 14 calendar days before the move, except when a delay would jeopardize the foster child's care or safety or the safety of members of the foster family.

(d) Maintain a copy of and follow the agency's written policies and procedures for foster parents and foster care, including the policies and procedures for all of the following:

(i) Behavior management as required by R 400.12406.

(ii) Religion as required by R 400.12407.

(iii) Mail as required by R 400.12408.

(iv) Education as required by R 400.12409.

(v) Personal possessions, allowances, and money as required by R 400.12410.

(vi) Clothing as required by R 400.12411.

(vii) Emergencies as required by R 400.12412.

(viii) Medical and dental care as required by R 400.12413.

(ix) Substitute care as required by R 400.12414.

(x) Unusual incidents as required by R 400.12415.

(xi) Hazardous materials as required by R 400.12416.

**History:** Eff. January 1, 2001.

**R 400.9404 Behavior management.**

Rule 404. (1) A foster parent shall follow the behavior management plan developed for each foster child by the agency.

(2) A foster parent may use reasonable restraint to prevent a foster child from harming himself or herself, other persons, or property or to allow the child to gain control of himself or herself.

**History:** Eff. January 1, 2001.

**R 400.9405 Religion.**

Rule 405. A foster parent shall follow the agency's religion policy.

**History:** Eff. January 1, 2001.

**R 400.9406 Mail.**

Rule 406. A foster parent shall ensure that a foster child can send and receive mail in accordance with the agency's mail policy.

**History:** Eff. January 1, 2001.

**R 400.9407 Education.**

Rule 407. A foster parent shall cooperate with the agency to implement the education or training plan for a foster child to ensure that a school-age child attends school or a training program and shall participate with the school or the training program in educational planning.

**History:** Eff. January 1, 2001.

**R 400.9408 Personal possessions, allowances, and money.**

Rule 408. (1) A foster parent shall account for, and keep a list of, any cash or valuables which belong to each foster child and which are entrusted to the care and control of the foster parent.

(2) A foster parent shall ensure that all of a foster child's possessions are provided to the foster child or agency when the child moves from the foster home.

**History:** Eff. January 1, 2001.

**R 400.9409 Clothing.**

Rule 409. (1) A foster parent shall provide a sufficient amount of clothing properly sized and seasonally appropriate for each foster child, as arranged by the agency.

(2) Clothing provided to a foster child is the child's property and a foster parent shall ensure that the clothing is provided to the child if the child moves from the foster home.

**History:** Eff. January 1, 2001.

**R 400.9410 Emergencies.**

Rule 410. (1) A foster parent shall follow agency approved written procedures for each of the following emergencies:

- (a) Fire.
- (b) Tornado.
- (c) Serious accident or injury.

(2) A foster parent who provides care for a person who requires assistance to evacuate the home shall follow agency approved written procedures for prompt evacuation.

(3) A foster parent shall familiarize each member of the household, including the foster child according to the child's ability to understand, and persons who provide substitute care with the emergency and evacuation procedures.

**History:** Eff. January 1, 2001.

**Rule 400.9411 Medical and dental care.**

Rule 411. (1) A foster parent shall follow and carry out the health plan for a foster child as prescribed by a physician, health authority, or the agency.

(2) A foster parent shall follow agency approved protocols for medical care of a foster child who is injured or ill.

(3) A foster parent shall ensure that medications are inaccessible to children unless medically necessary.

(4) A foster parent shall ensure that prescription medication is given or applied as directed by a licensed physician.

**History:** Eff. January 1, 2001.

**R 400.9412 Substitute care.**

Rule 412. A foster parent shall follow the agency's substitute care policy.

**History:** Eff. January 1, 2001.

**R 400.9413 Unusual incident notification.**

Rule 413. (1) A foster parent shall immediately notify the agency of the death of a foster child.

(2) A foster parent shall immediately notify the agency of the removal or attempted removal of a foster child from a foster home by any person not authorized by the agency.

(3) A foster parent shall notify the agency within 24 hours of determining that a foster child is missing.

(4) A foster parent shall notify the agency within 24 hours after the foster parent knows of any of the following:

- (a) Any illness that results in inpatient hospitalization of a foster child.
- (b) Any accident or injury of a foster child that requires medical treatment by a licensed or registered health care person.

(c) A foster child's involvement with law enforcement authorities.

**History:** Eff. January 1, 2001.

**R 400.9414 Hazardous materials.**

Rule 414. A foster parent shall follow the agency's hazardous materials policy.

**History:** Eff. January 1, 2001.

**R 400.9415 Foster parent training.**

Rule 415. A foster parent shall attend training as required by the agency foster parent training plan.

**History:** Eff. January 1, 2001.

**R 400.9416 Food and nutrition.**

Rule 416. (1) A foster parent shall provide for the nutritional needs of each foster child in the foster home.

(2) A foster parent shall provide a foster child with meals that are nutritious, well-balanced, and of sufficient quantity.

(3) A foster parent shall provide a special diet if a foster child has been prescribed a special diet. Only a licensed physician or other health professional under the supervision of a licensed physician may prescribe special diets.

(4) A foster parent shall permit a foster child to eat with other members of the household.

(5) A foster parent shall serve a foster child the same meals as other members of the household, unless a special diet has been prescribed or unless otherwise dictated by differing nutritional requirements related to the child's age, medical condition, or religious beliefs.

(6) A foster parent shall ensure that refrigeration is used for perishable foods.

(7) A foster parent shall only serve pasteurized milk products to foster children.

**History:** Eff. January 1, 2001.

**R 400.9417 Foster child tasks.**

Rule 417. A foster parent may permit a foster child to perform only those routine tasks that are within the child's ability, are reasonable, and are similar to routine tasks expected of other members of the household of similar age and ability.

**History:** Eff. January 1, 2001.

**R 400.9418 Recreation.**

Rule 418. A foster parent shall provide a variety of indoor and outdoor recreational activities and shall encourage a foster child to participate in recreational activities that are appropriate for the child's age and ability.

**History:** Eff. January 1, 2001.

**R 400.9419 Transportation.**

Rule 419. A foster parent shall ensure that the transportation of the foster child, foster parents, and members of the household is conducted as required by state law.

**History:** Eff. January 1, 2001.

**PART 5. REPORTING AND RECORDKEEPING**

**R 400.9501 Reporting suspected child abuse or neglect.**

Rule 501. (1) A foster parent who has reasonable cause to suspect physical or sexual abuse or neglect of a child shall make a report immediately to the child protective services unit of the local county office of the Department of Human Services.

(2) If the suspected physical or sexual abuse or neglect occurred in the foster home or to a foster child placed in the foster home, then a foster parent shall make a report immediately to both of the following entities:

(a) The child protective services unit of the local county office of the Department of Human Services.

(b) The agency.

(3) The foster parent shall provide a written report as required by the agency.

**History:** Eff. January 1, 2001, Am. Eff. March 1, 2007.

**R 400.9502 Reporting foster home changes.**

Rule 502. A foster parent shall report to the agency any significant change in the foster home by the next working day from the time a foster parent knows of a change, including any of the following changes:

- (a) A change of employment status of a foster parent.
- (b) Serious illness, injury, or death of a foster parent or a member of the household.
- (c) Changes in household composition.
- (d) Arrests and criminal convictions of a foster parent or member of the household.
- (e) Court-supervised parole or probation of a foster parent or member of the household.
- (f) Admission to, or release from, a correctional facility, a facility, a hospital, or an institution for the treatment of an emotional, mental, or substance abuse problem of a foster parent or member of the household.
- (g) Counseling, treatment, or therapy on an outpatient basis for an emotional, mental, or substance abuse problem of a foster parent or member of the household.

**History:** Eff. January 1, 2001.

**R 400.9503 License application filing; agency notification.**

Rule 503. A foster parent shall notify the agency within 5 calendar days after filing an application for an adult foster care family home license, a family daycare home certificate of registration, or a group daycare home license.

**History:** Eff. January 1, 2001.

**R 400.9504 Change of residence; agency notification.**

Rule 504. A foster parent shall inform the agency of any planned change of residence and submit an application for licensure at the new address not less than 4 weeks before a move.

**History:** Eff. January 1, 2001.

**R 400.9505 Confidentiality.**

Rule 505. (1) A foster parent shall keep information obtained, and records maintained, by the foster parent regarding a foster child and a foster child's parents and relatives confidential and shall release information only to a person authorized by the agency placing the child in the foster home.

(2) The requirements in subrule (1) of this rule shall not prohibit a foster parent from communicating with any person or organization that has a statutory privilege or any person representing the foster parent in a licensing or legal matter.

**History:** Eff. January 1, 2001.

**R 400.9506 Record management.**

Rule 506. (1) A foster parent shall maintain a record for each foster child in the home.

(2) The record shall contain all of the following current information:

- (a) The child's name and date of birth.
  - (b) Any known history of abuse or neglect of the child.
  - (c) All known emotional and psychological problems of the child.
  - (d) All known behavioral problems of the child.
  - (e) Circumstances necessitating placement of the child.
  - (f) Any other known information to enable the foster parent to provide a stable, safe, and healthy environment for the foster child and the foster family.
  - (g) Date of placement, date of termination of placement, and reasons for termination of placement.
  - (h) Name, address, and telephone number, including emergency telephone number, of the agency and the agency's social service worker who is currently assigned to the child.
  - (i) Name, address, and telephone number of the child's physician and dentist.
  - (j) Written consent authorizing the foster parent to obtain routine, nonsurgical medical care and to authorize emergency medical and surgical treatment.
  - (k) A report of the child's medical history.
  - (l) Dates of, and reasons for, medical treatment of the foster child.
  - (m) Child's behavior management and discipline plan.
- (3) A foster parent shall store and maintain each record in a manner to prevent unauthorized access.
- (4) Upon closure of the foster home license, all records provided by the child placing agency shall be returned to the agency.

**History:** Eff. January 1, 2001.

STATE OF MICHIGAN  
**DEPARTMENT OF HUMAN SERVICES**

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